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## DISCRIMINATION WITH REFERENCE TO CITIZENSHIP AND LAND OWNERSHIP <sup>1</sup>

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**A**T the moment when the Great War is absorbing all the energies of the Allied Powers, and the Washington government is busily engaged in completing war measures, it bespeaks the farsightedness of the American people that they have already begun to formulate a fundamental foreign policy to be pursued in the new momentous era to be ushered in at the conclusion of the mighty conflict. In that program an American far-eastern policy will no doubt hold a place of first-rate importance, because upon it depends in a large measure the future of America and of the world at large.

Our subject, discrimination with reference to citizenship and land ownership, is as it stands so explicit that we might well wonder whether the affirmative will find any staunch advocate. The idea is revolting to an American sense of justice and equality, whose conception has been greatly deepened among Allied nations because of outrages committed during the present war by the nation that adores the doctrine of "might over right." Any act of discrimination merits, it seems to us at first thought, our unqualified condemnation. But as a matter of fact, the question cannot be so easily disposed of. In the first place, neither the California legislature nor the Washington government has ever admitted that the Webb law is a discriminatory act against the Japanese. By a subterfuge, or by a skillful diplomatic maneuver, the confession of discrimination has been warded off. Above all, the American people themselves have not yet pronounced their verdict on the matter. This undecided, doubting attitude of the American people calls forth our discussion today.

<sup>1</sup> Address delivered at the National Conference on Foreign Relations of the United States, held under the auspices of the Academy of Political Science, at Long Beach, N. Y., May 31, 1917.

At the outset, we must frankly admit that in the frail world we live in there are times and circumstances, in the relations between nations, when the putting into practice of a high ideal becomes only a farce, when expediency dictates to the nations concerned the wisdom of finding the best practical *modus vivendi* to regulate the smooth working of their intercourse. This is the reason why the "gentleman's agreement" is acquiesced in, why the Chinese exclusion act stands.

Further we cannot ignore the fact that there is such a marked difference in the kind and degree of culture and civilization which various nations have attained, that a uniform application of one set of abstract principles of international intercourse is often impracticable and undesirable. This is why the clause of extraterritoriality has place in international law. Otherwise, the principles of justice and equality would be rather upset than upheld. Justice is rendered to a nation when it is taken for its worth; true equality exists only among equals. Each nation must, therefore, stand upon its own merit and it has no right to ask for other grace than that of liberty to strive by itself for further development.

In short, my contention is this, that a discussion on abstract principles of international conduct would lead to no practical result; that discrimination becomes unjustifiable only when color and geography, for which providence alone is responsible, are made the sole criterion of that discrimination; that there is no such unit as Asiatics, or Europeans, or North or South Americans; in other words, that a concrete case must be taken and made the basis for our consideration.

I propose, therefore, to speak within the fifteen minutes I have at my disposal purely from the Japanese standpoint, and have no thought whatever to pose as a champion of the Asiatic peoples or of the yellow race. With your permission, I wish to embrace this opportunity to lay a strong emphasis upon another point, namely, that I am not a mouthpiece of the Japanese government, as is often misrepresented in the American press. I have a right to protest against such a misrepresentation, for it is in effect a curtailment of the perfect liberty of speech which I enjoy. I dare say that not a few of my countrymen would

endorse the views I hold, but for these views I am solely responsible.

I am now in a position to state without fear of giving embarrassment to others my conviction that discrimination against the Japanese with reference to citizenship and land ownership is both unjust and unwise. In elucidating my point, I need not dwell upon the long negotiations conducted by the American and Japanese governments relative to the California land law. Nor need I refer to the act itself. The question of land ownership is only a part, not the vital part, of the fundamental problem. The local measure could hardly have attained the dignity of an international issue, were not the question which touched Japan's honor involved therein. You may well appreciate how a nation that has, by dint of energy and perseverance, raised itself from being a negligible influence in world politics half a century ago to the front rank of nations—a nation that after hard struggle won its complete political independence and full recognition of equality with great powers of the world—would feel toward the discrimination meted out to its own people residing in America.

Were Japan to insist upon the unrestricted immigration of her subjects into this country, then the wrong would be, I believe, on her side, for the introduction of a large number of Japanese laborers into your country would create many difficult problems, and introduce an element which even the most wonderfully assimilative power of the United States would find it hard to cope with. But it is not so. Japan fully appreciated that danger, and in 1907 voluntarily prohibited the further emigration of Japanese laborers to the United States. The "gentleman's agreement" has been and is most rigidly kept. You must therefore understand distinctly that the immigration question with Japan is closed.

The question under consideration is then restricted to this: What shall the United States do with her eighty thousands or so of Japanese residing in this country? Is it wise for America to leave them long as aliens who form no corporate part of the American system, and who are debarred from sharing not only the rights but the duties and functions of her citizenry?

Opinions may differ on this point according to the appraisal you make of the Japanese. It is no province of mine to pronounce any judgment upon that point. I may, however, be permitted to say that in my opinion the Japanese residents are neither better nor worse than most European immigrants, and one's pride of comradeship may perhaps be pardoned if I put them on a little higher plane than the average immigrant.

While we must recognize that there exists a marked difference in historical development, in race and religion, between the American and Japanese peoples, at the same time it is well for us to understand clearly that the essentials of civilization they have developed in the past are nowise dissimilar. American ideals are what the Japanese hold before their eyes. The virtues personified in Washington and Lincoln are what the Japanese are anxious to emulate. I can then see no reason why the Japanese will not be able to assimilate with the American system. The charge of non-assimilation often made against them is, I believe, unfair for the simple reason that you have not as yet given them a chance to demonstrate their assimilative power to its fullest extent. That the shortcomings and faults of the Japanese are many and lamentable, I would be the first to confess. And yet theirs are no inherent defects that baffle correction, but the same weaknesses and sins ordinary human beings are prone to.

A great doubt is, however, expressed as to whether the Japanese can ever be converted into genuine and patriotic Americans, because they are so intensely patriotic to their native country. On my part, I entertain no such doubt. My firm belief is that once a Japanese is admitted to American citizenship, he will be just as loyal to his adopted country as he now is to his native land, and will prove his faith even by his death. I assert this so confidently because I know the Japanese code of honor and loyalty. Even at the present moment, when they are denied the privileges of American citizenship, hundreds of resident Japanese are anxious to enroll in the American army and fight for the cause America stands for. This being impossible, they are showing keen interest in the work of the American Red Cross, and are contributing to it their quota,

small in amount though it be. This is a good proof that Japanese residents are identifying their interests with the welfare of this country.

I am not unaware of the great difficulties that lie in the way of your granting to Japanese the privilege of American citizenship. One is the too great concentration of the Japanese population in the state of California. Another is doubt as to what will be the decision of the Supreme Court of the United States upon the question, if a test case be brought before it. The third is a lack of knowledge and understanding of the Japanese among the American people. The Japanese must, on their part, do their best to make the presentation of your gift to them an easy and pleasant task.

Within the short time at my disposal only an outline of my thesis can be presented. There may be many ways to solve the vexed Japanese-American problem. The surest and most definite solution is, of course, the one we have been discussing. Another measure is complete authority given to the federal government to enforce treaties and to prohibit any of the states from violating them. The third is what is embodied in the bill recently introduced by Congressman Husted in the House of Representatives. The fourth is the plan formulated by Dr. Gulick. Still another is the federal legislation on protection and treatment of aliens advocated by Mr. Elihu Root.

It would be preposterous for a foreigner to pronounce any judgment on these measures, initiative of which rests in the hands of the American people.

In concluding, I wish to say that I have participated in today's discussion, on this rather delicate subject for me to discuss, with the conviction that one who has at heart the best interests of America and Japan would fail to fulfil his duty if he lacked the courage to speak out his views frankly.